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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA

10
11 In the Matter of) FPPC No. 05/665
12)
13 NEW DEMOCRAT NETWORK) STIPULATION, DECISION and
AND SIMON ROSENBERG,) ORDER
14)
15)
16 Respondents.)

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18 Complainant Mark Krause, Executive Director of the Fair Political Practices Commission, and
19 Respondents New Democrat Network and Simon Rosenberg hereby agree that this stipulation will be
20 submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled
21 meeting.

22 The parties agree to enter into this stipulation to resolve all factual and legal issues raised by this
23 matter and to reach a final disposition without the necessity of holding an administrative hearing to
24 determine the liability of Respondents.

25 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
26 rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in sections 18361.1
27 through 18361.9 of title 2 of the California Code of Regulations. This includes, but is not limited to, the
28 right to personally appear at any administrative hearing held in this matter, to be represented by an

1 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the
2 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
3 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondents violated the Political Reform Act by failing
5 to timely file a late contribution report, in violation of section 84203, subdivisions (a) and (b) of the
6 Government Code (1 count); and by failing to timely file a semi-annual campaign statement, in violation
7 of section 84200, subdivision (a) of the Government Code (1 count), as described in Exhibit 1. Exhibit
8 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true
9 and accurate summary of the facts in this matter.

10 Respondents agree to the issuance of the decision and order, which is attached hereto.
11 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
12 of Three Thousand Dollars (\$3,000). A cashier's check from Respondents in said amount, made
13 payable to the "General Fund of the State of California," is submitted with this stipulation as full
14 payment of the administrative penalty, and shall be held by the State of California until the Commission
15 issues its decision and order regarding this matter. The parties agree that in the event the Commission
16 refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days
17 after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondents
18 in connection with this stipulation shall be reimbursed to Respondents. Respondents further stipulate
19 and agree that in the event the Commission rejects the stipulation and a full evidentiary hearing before
20 the Commission becomes necessary, neither any member of the Commission, nor the Executive
21 Director, shall be disqualified because of prior consideration of this stipulation.

22 Dated: _____

Mark Krausse, Executive Director
Fair Political Practices Commission

25 Dated: _____

Simon Rosenberg, individually and on behalf of New
Democrat Network, Respondents

DECISION AND ORDER

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The foregoing stipulation of the parties “In the Matter of New Democrat Network and Simon Rosenberg, FPPC No. 05/665,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission